RECEIVED CENTRAL FAX CENTER OCT 1 4 2008

FAX TRANSMITTAL

Date: 10/14/2008

Number of Pages (including cover sheet): 25

From: Deborah G. Blakley

Office of Counsel, Code XDC1

Naval Surface Warfare Center Dahlgren

17632 Dahlgren Road Suite 158 Dahlgren, VA 22448-5110 Phone: (540) 653-7578 FAX: (540) 653-8879

To: **EXAMINER: Philip J. Chea**

FAX: 571-273-8300

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. (571)273-8300) on Tuesday, October 14, 2008.

Art Unit: 2153

Examiner: Philip J. Chea

Remarks:

In re application of Thomas W. Smith

Attorney Docket No. 79544

Serial No.

10/658,896

Filed: September 10, 2003

For: READ-ONLY BASELINE WEB SITE TO

WHICH CHANGES ARE MADE VIA

MIRROR COPY THEREOF IN CUT-AND-

PASTE MANNER

Faxed herewith please find Transmittal Form, Fee Transmittal and Brief on Appeal.

5406538879

OCT 1 4 2008

PTO/SB/21 (09-04) Approved for use through 07/31/2006. OMB 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 10/658,696 Filing Date TRANSMITTAL September 10, 2003 First Named Inventor **FORM** Thomas W. Smith Art Unit Examiner Name Philip J. Chea (to be used for all correspondence after initial filing) Attorney Docket Number Navy Case 79544 Total Number of Pages in This Submission ENCLOSURES (Check all that apply) After Allowance Communication to TC 1 Fee Transmittal Form Drawing(s) Appeal Communication to Board Licensing-related Papers of Appeals and Interferences Fee Attached Appeal Communication to TC Petition (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please identify Terminal Disclaimer below): Extension of Time Request Appeal Brief Request for Refund Express Abandonment Request CD, Number of CD(s) Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Remarks Document(s) Appeal Brief for August 11, 2008 Notice of Appeal (22 pp) Fee Transmittal (1 p) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Center - Dahlgren Division Naval Surface Warface Signature Printed name Gerhard W. Thielman Date 43,186 October 14, 2006 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature Date October 14, 2008 Deborah G. Blakley Typed or printed name

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Tradement Office, U.S. Department of Commence. P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

CENTRAL FAX CENTER

OCT 1 4 2008

03/25

PTO/SB/17 (10-07) Approved for use through 06/30/2010, OMB 0351-0032 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paparwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number Effective on 12/08/2004. Complete if Known Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). 10/658,896 Application Number RANSMI September 10, 2003 Filing Date For FY 2008 First Named Inventor Thomas W. Smith Examiner Name Philip J. Chea Applicant claims small entity status. See 37 CFR 1.27 2153 TOTAL AMOUNT OF PAYMENT 540.00 Navy Case 79544 Attorney Docket No. METHOD OF PAYMENT (check all that apply) Check Credit Card Money Order None Other (please identify): Deposit Account Name: NSWC Dahlgren ✓ Deposit Account Deposit Account Number: 50-0967 For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) Charge fee(s) indicated below Charge fee(s) indicated below, except for the filling fee Charge any additional fee(s) or underpayments of fee(s) ✓ Credit any overpayments under 37 CFR 1.16 and 1.17 WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. **FEE CALCULATION** 1. BASIC FILING, SEARCH, AND EXAMINATION FEES **FILING FEES EXAMINATION FEES** SEARCH FEES Small Entity Small Entity Small Entity Fees Paid (\$) <u>Fce (\$)</u> Application Type Fee (\$) Fee (\$) Fee (\$) Fee (\$) Fee (\$) Utility 310 510 210 105 155 255 Design 210 105 -100 50 130 65 210 Plant 105 310 160 80 155 Reissue 310 155 510 620 310 **Provisional** 210 0 105 0 Small Entity 2. EXCESS CLAIM FEES Fee (\$) Fee (\$) Fee Description 50 25 Each claim over 20 (including Reissucs) Each independent claim over 3 (including Reissues) 210 105 370 185 Multiple dependent claims **Total Claims** Multiple Dependent Claims Extra Claims Fee (\$) Fee Paid (\$) Fee (\$) - 20 or HP = HP = highest number of total claims paid for, if greater than 20. Indep. Claims Extra Claims Fee (\$) Fee Paid (\$) - 3 or HP = HP = highest number of independent claims paid for, if greater than 3. 3. APPLICATION SIZE FEE If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$260 (\$130 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). Number of each additional 50 or fraction thereof <u>Total Sheets</u> Extra Sheets Fee Paid (\$) (round up to a whole number) 4. OTHER FEE(S) Fees Paid (\$) Non-English Specification, \$130 fee (no small entity discount) 540 Other (e.g., late filing surcharge): Appl Bri Fee Code 1402 under 37 CFR 41.20(b)(2)

SUBMITTED BY Registration No. Telephone (540) 653-8061 Signature 43.186 (Attorney/Agent) Date October 14, 2008 Name (Print/Type) Gerhard W. Thielman

This collection of information is required by 37 CFR 1.136. The Information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentially is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Tradomark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED CENTRAL FAX CENTER

OCT 1 4 2008

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE HONORABLE BOARD OF PATENT APPEALS AND INTERFERENCES

Appellant: Thomas J. Smith

Serial No.: 10/658,896

10,000,000

Examiner

Philip J. Chea

Filed

: September 10, 2003

Docket

Navy Case 79544

Title

: READ-ONLY BASELINE WEB SITE TO WHICH CHANGES ARE MADE VIA

MIRROR COPY THEREOF IN CUT-AND-PASTE MANNER

Mail Stop: Board of Patent Appeals and Interferences

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

BRIEF ON APPEAL UNDER 37 CFR §41.37

Appeal from Group 2153

DEPARTMENT OF THE NAVY
Naval Surface Warfare Center – Dahlgren Division
Office of Counsel – Code XDC1
17632 Dahlgren Road, Suite 158
Dahlgren, Virginia 22448-5110
Telephone: (540) 653-8061 Customer No. 23501

10/15/2008 VBUI11

00000011 500967

10658896

01 FC:1402

540.00 DA

TABLE OF CONTENTS

	1 age	
I.	REAL PARTY IN INTEREST	
II.	STATEMENT OF RELATED APPEALS AND INTERFERENCES2	
iп.	STATUS OF CLAIMS	
IV.	STATUS OF AMENDMENTS4	
v.	SUMMARY OF CLAIMED SUBJECT MATTER	
VI.	GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL7	
VII.	ARGUMENT8	
	A. Claimed Features	
	B. Reference Teachings 10	
	C. Feature Comparisons and Combinational Motivation	
	D. Response to Arguments	
VIII.	CONCLUSION14	
APPE	NDIX A - CLAIMS INVOLVED IN THE APPEAL	
APPE	NDIX B - EVIDENCE INVOLVED IN THE APPEALB-1	
APPE	NDIX C - RELATED PROCEEDINGS INVOLVED IN THE APPEAL	

I. REAL PARTY IN INTEREST

The Real Party in Interest for this Appeal and the present application is the Government of the United States of America, as represented by the Secretary of the Navy, by way of an assignment recorded on September 10, 2003 in the U.S. Patent and Trademark Office at Reel 014505, Frame 0374.

II. STATEMENT OF RELATED APPEALS AND INTERFERENCES

There are no pending or prior Appeals or Interferences, known to Appellant,
Appellant's representative or the assignee, that may be related to, or which will directly affect
or be directly affected by or have a bearing on the Board's decision in the pending Appeal.
Consequently, related proceedings identify "none" in Appendix C.

Navy Case No. 79544
Application No. 10/658,896
RECEIVED

CENTRAL FAX CENTER

OCT 1 4 2008

III. STATUS OF CLAIMS

Claims 1-20 are pending, finally rejected and on appeal.

No claims are allowed, and no claims are objected to only for being dependent from a rejected base claim, but otherwise allowable. No claims are withdrawn from prosecution.

The original set of claims 1-20 was published in U.S. Patent Application Publication 2005/0055424 on March 10, 2005. Claims 3, 7-9, 11-13 and 18-20 were amended to correct informalities in the June 29, 2007 Amendment. Claims 1, 14 and 17 were amended in the November 29, 2007 Amendment to recite features supported in the specification at, for example, page 6, line 6 – page 8, line 20 (corresponding to paragraphs [0019] – [0024] in U.S. Patent Application Publication 2005/0055424) and Fig. 2. Claims 2, 4-6, 10, 15 and 16 remain unchanged and as originally filed.

No claims are cancelled, amended or added for purposes of this appeal. A listing of the pending claims is provided in Appendix A.

IV. STATUS OF AMENDMENTS

An Amendment was filed June 29, 2007 to correct informalities in claims 3, 7-9, 11-13 and 18-20. This first Amendment was entered in response to the April 12, 2007 Office Action.

An Amendment was filed November 29, 2007 to recite features supported in the specification at, for example, page 6, line 6 – page 8, line 20 (corresponding to paragraphs [0019] – [0024] in U.S. Patent Application Publication 2005/0055424) and Fig. 2 in claims 1, 14 and 17. This second Amendment was entered in response to the September 10, 2007 Office Action.

No amendments were filed in response to the March 10, 2008 Final Rejection. On August 11, 2008, Appellant instead filed a Notice of Appeal and two-month Petition for Extension of Time.

The shortened period for filing an Appeal Brief is two months from filing the Notice of Appeal, as per 37 CFR §41.37(a) and MPEP §1205.01, effectively corresponding to the extendible due date of October 14, 2008.

OCT 1 4 2008

Navy Case No. 79544 Application No. 10/658,896

V. SUMMARY OF CLAIMED SUBJECT MATTER

Appellant's claimed features are directed to system claims 1 and 14 and to method claim 17 that include a baseline web site (202) having web pages (206), a mirror web site (204), and a web application (214) running on the mirror web site. In addition, both baseline and mirror web sites are accessible through a network (110) to authorized users via client communication devices (112, 122).

In particular, claim 1 recites a system including, inter alia, a baseline web site (202) that is primarily and ordinarily read-only, having a plurality of web pages (206) being remotely accessible by authorized users through a network (110) via client communication devices (112) communicatively coupled to the network, the web pages having displayable information (304); a mirror web site (204) that includes initially a mirror copy of the baseline web site and that is remotely accessible for user-made changes to mirror information on the mirror copy in a cut-and-paste manner by the authorized users through the network via the client communication devices communicatively coupled to the network; and a web application (214) running on the mirror web site to accept the user-made changes to the mirror information on the mirror copy of the baseline web site, administrators being able to authorize the user-made changes such that the baseline web site is periodically updated from the mirror web site.

Also for example, claim 14 recites a system including, inter alia, a plurality of wall-mountable, multiple user-viewable displays (104) for mounting on walls (102) of a room (100); at least one server (108) to host a baseline web site (202) and a mirror web site (204), each server communicatively coupled to a network (110), the baseline web site being primarily and ordinarily read-only, and having a plurality of web pages (206) for primary display on the displays, the web pages being remotely accessible outside of the room by authorized users through the network via client communication devices communicatively coupled to the network, the web pages having displayable information (304), the mirror web site including initially a mirror copy of the baseline web site and locally accessible within the room and remotely accessible outside of the room for user-made changes to mirror information on the mirror copy in a cut-and-paste manner by the authorized users through the network via the client communication devices communicatively coupled to the network; and a web application (214) running on the mirror web site to accept the user-made changes to the mirror information on the mirror copy of the baseline web site, administrators being able to authorize the user-made changes such that the baseline web site is periodically updated from

the mirror web site, the web application being receptive to additional and replacement data serving as the user-made changes to the mirror information on the mirror copy of the baseline web site in the cut-and-paste manner from other applications running on the client communication devices.

In addition, claim 17 recites a method including, *inter alia*, accessing by an authorized user a baseline web site (202) having a plurality of web pages (206) through a network (110), the web pages containing displayable information (304); cutting and pasting changes to mirror information by the authorized user to a mirror web site (204) that includes initially a mirror copy of the baseline web site via a web application (214) running on the mirror web site, the mirror copy containing the mirror information; and approving the changes by an authorized administrative user to cause the changes to be copied back to the baseline web site.

10/12/2008 09:57 5406538879 OFFICE OF COUNSEL PAGE 12/25

Navy Case No. 79544 Application No. 10/658,896

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

The following four grounds of rejection are presented for review:

The March 10, 2008 Final Office Action rejects claims 1-3, 5-7, 9-12, 17, 19 and 20 as being allegedly unpatentable as obvious under 35 U.S.C. §103(a) over U.S. Patent 7,240,077 to Edelman *et al.* (hereinafter "Edelman") in view of U.S. Patent Application Publication 2002/0188636 to Peck *et al.* (hereinafter "Peck").

The Final Office Action further rejects claim 4 as being allegedly unpatentable under 35 U.S.C. §103(a) over Edelman in view of U.S. Patent Application Publication 2004/0064352 to Gordon et al. (hereinafter "Gordon").

The Final Office Action further rejects claims 8, 13, 14, 16 and 18 as being allegedly unpatentable under 35 U.S.C. §103(a) over Edelman in view of Peck and further in view of U.S. Patent 6,313,855 to Shuping et al. (hereinafter "Shuping").

The further rejects claim 15 as being allegedly anticipated under 35 U.S.C. §103(a) over Edelman in view of Peck and further in view of Shuping and Gordon.

VII. ARGUMENT

Applicant respectfully submits that Examiner Chea misinterprets the applied references (a) as teaching all of the claim limitations recited, and (b) regarding alleged motivation by an artisan of ordinary skill to combine their teachings. In particular, Appellant asserts that the applied references Edelman, Peck, Shuping and/or Gordon cannot be properly modified and/or combined and do not teach or suggest all of the claimed features. Thus, Appellant respectfully traverses the four rejections under 35 U.S.C. §103.

A. Claimed Features

Appellant's features are directed to system claims 1 and 14 and to method claim 17 that include a baseline web site (202) having web pages (206), a mirror web site (204), and a web application (214) running on the mirror web site, both sites being accessible through a network (110) to authorized users via client communication devices (112, 122). At least one server (108) is connected to the network (110) and hosts the baseline and mirror web sites. The web pages (206) contain information (304) stored on the server (108) for viewing via the network (110) on a computer (112) and on wall-mountable, multiple user-viewable displays (104) attached to walls (102) of a war-room (100).

The mirror web site (204) initially provides a mirror copy of the (primarily read-only) baseline web site (202). The mirror web site (204) subsequently accepts user-made changes to the copy and/or executes the web application. This mirror copy represents the information (304) available on the server (108), which initially incorporates the information displayed from the baseline web site (202) for subsequent modification on the mirror web site (204). The specification describes the system such that an administrator authorizes the changes to update the baseline web site (202) to conform to the mirror web site (204). Appellant's method in claim 17 provides operations for accessing a baseline web site (202) by an authorized user through a network (110), cutting and pasting by the user to a mirror web site (204) via a web application (214), and approving and copying the changes to the baseline web site by an administrator.

Claim 1: For example, claim 1 recites a system comprising: a baseline web site (202) that is primarily and ordinarily read-only, having a plurality of web pages (206) being remotely accessible by authorized users through a network (110) via client communication devices (112) communicatively coupled to the network, the web pages baving displayable information (304); a mirror web site (204) that includes initially a mirror copy of the baseline web site and that is remotely accessible for user-made changes to mirror information on the

mirror copy in a cut-and-paste manner by the authorized users through the network via the client communication devices communicatively coupled to the network; and a web application (214) running on the mirror web site to accept the user-made changes to the mirror information on the mirror copy of the baseline web site, one or more administrators being able to authorize the user-made changes such that the baseline web site is periodically updated from the mirror web site. Appellant asserts that the features described in independent claim 1 are not taught or suggested in the Edelman and Peck in the first obviousness rejection. This assertion also applies to claims 3, 5-7 and 9-12 that depend from claim 1.

Claim 14: Similarly, independent claim 14 recites features for a system comprising: a plurality of wall-mountable, multiple user-viewable displays (104) for mounting on walls (102) of a room (100); at least one server (108) to host a baseline web site (202) and a mirror web site (204), each server communicatively coupled to a network (110), the baseline web site being primarily and ordinarily read-only, and having a plurality of web pages (206) for primary display on the plurality of wall-mountable, multiple user-viewable displays, the plurality of web pages being remotely accessible outside of the room by authorized users through the network via client communication devices communicatively coupled to the network, the web pages having displayable information (304), the mirror web site including initially a mirror copy of the baseline web site and locally accessible within the room and remotely accessible outside of the room for user-made changes to mirror information on the mirror copy in a cut-and-paste manner by the authorized users through the network via the client communication devices communicatively coupled to the network; and a web application running on the mirror web site to accept the user-made changes to the mirror information on the mirror copy of the baseline web site, one or more administrators being able to authorize the user-made changes such that the baseline web site is periodically updated from the mirror web site, the web application being receptive to additional and replacement data serving as the user-made changes to the mirror information on the mirror copy of the baseline web site in the cut-and-paste manner from other applications running on the client communication devices. Appellant asserts that the features described in independent claim 14 are not taught or suggested in the Edelman, Peck and Shuping in the third obviousness rejection. This assertion also applies to claim 16 that depends from claim 14.

Claim 17: Also, claim 17 recites a method comprising: accessing by an authorized user a baseline web site (202) having a plurality of web pages (206) through a network (110), the web pages containing displayable information (304); cutting and pasting changes to mirror information by the authorized user to a mirror web site (204) that includes initially a

mirror copy of the baseline web site via a web application (214) running on the mirror web site, the mirror copy containing the mirror information; and approving the changes by an authorized administrative user to cause the changes to be copied back to the baseline web site. Appellant asserts that the features described in independent claim 17 are not taught or suggested in Edelman and Peck in the first obviousness rejection. These assertions also apply to claims 19 and 20 that depend from claim 17.

B. Reference Teachings

Instead, Edelman discloses a facility for specifying and previewing changes to a web site. See Abstract of Edelman. In particular, Edelman teaches a hosting facility 104 connected to clients 106, 108 via a network 102. The facility 104 includes several layers for data 110, tools 112 and services 114 to provide web content. The web pages are stored and transmitted as web descriptions where layout and content are stored in a database. See e.g., col. 4 lines 7-29, 48-64; col. 6 line 64 – col. 7 line 4 and Fig. 1 of Edelman.

The facility performs a routine 200 in response to a request in block 204 to release scheduling information in block 208 for a new web site release for which content change information can be displayed and/or manipulated. See e.g., col. 5 lines 13-55 and Fig. 2 of Edelman. Another routine 300 releases schedule information 304 and provides an interface based on content 308 if saved 306. See e.g., col. 5 line 56 – col. 6 line 2 and Fig. 3 of Edelman. Yet another routine 400 enables quality assurance review by identifying changes at block 408 between selected future releases and that established on the live web site. See e.g., col. 6 lines 14-50 and Fig. 4 of Edelman.

Further, Edelman discloses a site merchandiser tool 150 for previewing and editing information "to the live web site 'on the fly", thereby eschewing any inclination to employ a duplicate or mirror site. See e.g., col. 7 lines 5-57 and Fig. 5 of Edelman. Moreover, Edelman teaches uploading images using an image manager tool 148 using tabs 602, 604, 608, fields 612 and directories 614 on the live web site. See e.g., col. 7 line 65 – col. 8 line 42 and Fig. 6A of Edelman.

Moreover, Peck does not compensate for the deficiencies of Edelman. Instead, Peck discloses software for editing web-based documents. In particular, Peck teaches a process for modifying text with changes in font style (e.g., bold, underline, italics). See, for example, paragraph [0051] and Figs. 3a-3c of Peck.

The Final Office Action at page 3 concedes that Edleman lacks making changes to a mirror copy but asserts that Peck compensates for this deficiency. However, Appellant observes that Peck modifies a web-based document, not a mirror copy of a baseline web site.

Moreover, Peck employs tags to modify text, rather than a cut-and-paste manner, as recited in Appellant's claims.

Although distinctions between the combination of Edelman with Peck and the instant claimed features may appear to be rather subtle, Appellant draws particular attention to the absence of any allusion or hint for a duplicate "mirror" web site that copies the information content from a baseline web site, subsequently enabling that information to be modified on the mirror web site and then forwarding the updated information to the baseline web site.

Thus, Edelman and Peck fail to teach or suggest a web application running on the mirror web site to accept user-made changes to the mirror copy of the baseline web site in a cut-and-paste manner, [with] administrators being able to authorize the user-made changes such that the baseline web site is periodically updated from the mirror web site, as recited in Appellant's independent claims 1 and 17.

Moreover, Shuping does not compensate for the deficiencies of Edelman outlined above for claims I and 17. Nor does Shuping teach, disclose or suggest the additional features recited in claims 8, 13, 18 and 20 regarding mountable, multiple user-viewable displays and additional and replacement data from an application running on a client communication device.

Instead, Shuping discloses a method of browsing websites such as Google⁶⁰, enabling examination of past, present, and future links. In particular, Shuping teaches a browsing room 300 showing a current wall 310, a past wall 320 and a future wall 330, such as side-by-side and angularly off-set. Each wall corresponds to a panel of previously visited, present or intended websites. See, for example, col. 6, lines 45-62 and Fig. 3 of Shuping.

Shuping and Gordon do not compensate for the deficiencies of Edelman and Peck outlined above for claims 1 and 14, and extended with Gordon to claims 4 and 15. Instead, Gordon discloses an input device 23 (e.g., a scanner) connected to an administrator 20 that receives sports league data for organization and display. See, for example, paragraph [0018] and Fig. 1 of Gordon. However, Gordon teaches receipt and process of data, without any regard or association with transferring web-based changes (e.g., from mirror to baseline sites), and hence constitutes non-analogous art.

C. Feature Comparisons and Combinational Motivation

Appellant further asserts that there is insufficient proper motivation to combine features related to the changes previewer of Edelman with the tag-based text editing of Peck, the link browsing method of Shuping and/or the sports database display of Gordon, due to their comparatively unrelated fields of endeavor. Thus, Appellant submits that the Final

10/12/2008 09:57 5406538879 OFFICE OF COUNSEL

Navy Case No. 79544 Application No. 10/658,896

PAGE 17/25

Office Action has not established proper motivation for a *prima facie* case of obviousness, which requires satisfaction of three basic criteria: there must be some suggestion or motivation either in the references or knowledge generally available to modify the references or combine reference teachings, a reasonable expectation of success, and the references must teach or suggest all the claim limitations. See MPEP §706.02(j).

Further, there is insufficient proper motivation to combine features related to the link browsing method of Shuping and/or the sports database display of Gordon with the changes previewer of Edelman and the text editing of Peck. An artisan of ordinary skill would not recognize any practical benefit to displaying multiple chronologically-visited websites in Shuping and/or the accumulating and organizing (sports) data for web presentation in Gordon to satisfy a prima facie case of obviousness in conjunction with template selection of page creation in Edelman or tag-code editing in Peck. Although the applied references are associated with networked websites, their approaches and solutions differ from each other, and have no relationship to providing a web-change management system for control of changes using a mirrored version of the database. Thus, the Final Office Action has not established proper motivation for a prima facie case of obviousness. Even assuming that motivation to combine the applied references were to be established, the combination fails to teach or suggest all of Appellant's claimed features, as requried by the third criterion. No evidence is needed for presentation, and thus identifies "none" in Appendix B. Accordingly, the Final Office Action has not established a proper prima facie case of obviousness with which to reject Appellant's claims under §103.

D. Response to Arguments

The Final Office Action at pages 10-12 responds to arguments presented in the November 29, 2007 Amendment. Appellant notes that the amendments with arguments as presented and taken together yielded the inclusion of Peck as an additional applied reference to the obviousness rejections. Also, Appellant respectfully replies to two assertions made in the Final Office Action: first that Edleman teaches a mirror site, and second that motivation exists to combine the applied references.

Regarding Edleman, Appellant disagrees with the Examiner's interpretation and repeats that Edelman teaches a site merchandiser tool 150 for previewing and editing information to a website, thereby negating any suggestion to employ a duplicate or mirror site. See e.g., col. 7 lines 5-57 and Fig. 5 of Edelman. Appellant submits that this represents a teaching away from the rejected claim features.

Regarding motivation to combine, Appellant responds that artisans of ordinary skill are not expected to randomly select generic features from literature in related fields to achieve a hindsight-determined result. Rather, some rationale must be employed that presents an advantage to those artisans to reach the claimed features before they can be rendered as obvious.

For at least these reasons, Appellant respectfully submits that the independent claims are patentable over the applied references. The dependent claims are likewise patentable over the applied references for at least the reasons discussed, as well as for the additional features they recite. Consequently, all the claims are in condition for allowance. Thus, Appellant respectfully submits that the rejections under 35 U.S.C. §103 are improper and should be reversed and withdrawn.

RECEIVED CENTRAL FAX CENTER

VIII. CONCLUSION

OCT 1 4 2008

For all of the reasons discussed above, it is respectfully submitted that the rejections are in error and that claims 1-20 are in condition for allowance. For all of the above reasons, Appellant respectfully requests this Honorable Board to reverse the rejections of claims 1-20 and pass this application to issue.

Respectfully submitted,

Gerhard W. Thielman Registration No. 43,186

Filed: October 14, 2008

Attachments:

Appendix A - Claims Involved in the Appeal

Appendix B - Evidence

Appendix C - Related Proceedings

DEPARTMENT OF THE NAVY
Naval Surface Warfare Center – Dahlgren Division
Office of Counsel – Code XDC1
17632 Dahlgren Road, Suite 158
Dahlgren, Virginia 22448-5110
Telephone: (540) 653-8061
Customer No. 23501

DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 50-0967

APPENDIX A - CLAIMS INVOLVED IN THE APPEAL:

A system comprising:

a baseline web site that is primarily and ordinarily read-only, having a plurality of web pages being remotely accessible by authorized users through a network via client communication devices communicatively coupled to the network, the web pages having displayable information;

a mirror web site that includes initially a mirror copy of the baseline web site and that is remotely accessible for user-made changes to mirror information on the mirror copy in a cut-and-paste manner by the authorized users through the network via the client communication devices communicatively coupled to the network; and

a web application running on the mirror web site to accept the user-made changes to the mirror information on the mirror copy of the baseline web site, one or more administrators being able to authorize the user-made changes such that the baseline web site is periodically updated from the mirror web site.

- 2. The system of claim 1, wherein the web application is receptive to additional and replacement data serving as the user-made changes to the mirror copy of the baseline web site in the cut-and-paste manner from other applications running on the client communication devices.
- 3. The system of claim 2, wherein the other applications running on the client communication devices comprise at least one of: word processing application programs, spreadsheet application programs, email communication application programs, graphics application programs, scheduling application programs, presentation application programs, streamlining video and clip application programs, and web browsing application programs.
- 4. The system of claim 2, wherein the additional and replacement data comprises scanned-in information from non-electronic, hardcopy media.
- 5. The system of claim 1, wherein the baseline web site and the mirror web site each have a home web page that is regulated by a secure network connection through the network and from which other web pages on the web site are accessible via hyperlinks.

- 6. The system of claim 1, wherein the baseline web site and the mirror web site share a common home page that is regulated by a secure network connection through the network and from which other web pages on the web site are accessible via hyperlinks.
- 7. The system of claim 1, wherein the baseline web site further has a plurality of second web pages to serve as electronic notebooks containing information related to and supporting the plurality of web pages, different ones of the plurality of second web pages accessible by different ones of the authorized users via different levels of access accorded to different ones of the authorized users.
- 8. The system of claim 1, further comprising a plurality of wall-mountable, multiple user-viewable displays for mounting on walls of a room.
- 9. The system of claim 1, further comprising at least one server to host at least one of the baseline web site and the mirror web site, each said server communicatively coupled to the network.
- 10. The system of claim 1, further comprising at least some of the client communication devices.
- 11. The system of claim 1, wherein the client communication devices comprise at least one of: a computing device, a desktop computing device, a laptop computing device, a handheld computing device, a mobile phone, and a special-purpose device.
- 12. The system of claim 1, wherein the network comprises at least one of: the Internet, an intranet, an extranet, a virtual private network (VPN), a local-area network (LAN), a wide-area network (WAN), a wired network, and a wireless network.
- 13. The system of claim 1, wherein the baseline web site is for primary display on a plurality of wall-mountable, multiple-user-viewable displays for mounting on walls of a room, and the baseline web site and the mirror web site are locally accessible within the room.
 - 14. A system comprising:
- a plurality of wall-mountable, multiple user-viewable displays for mounting on walls of a room;

at least one server to host a baseline web site and a mirror web site, each server communicatively coupled to a network,

the baseline web site being primarily and ordinarily read-only, and having a plurality of web pages for primary display on the plurality of wall-mountable, multiple user-viewable displays, the plurality of web pages being remotely accessible outside of the room by authorized users through the network via client communication devices communicatively coupled to the network, the web pages having displayable information,

the mirror web site including initially a mirror copy of the baseline web site and locally accessible within the room and remotely accessible outside of the room for user-made changes to mirror information on the mirror copy in a cut-and-paste manner by the authorized users through the network via the client communication devices communicatively coupled to the network; and

a web application running on the mirror web site to accept the user-made changes to the mirror information on the mirror copy of the baseline web site, one or more administrators being able to authorize the user-made changes such that the baseline web site is periodically updated from the mirror web site.

the web application being receptive to additional and replacement data scrving as the user-made changes to the mirror information on the mirror copy of the baseline web site in the cut-and-paste manner from other applications running on the client communication devices.

- 15. The system of claim 14, further comprising one or more scanning devices locatable within the room to generate scanned-in information from non-electronic hardcopy media as the additional and replacement data.
- 16. The system of claim 14, further comprising at least some of the client communication devices locatable within the room.

17: A method comprising:

accessing by an authorized user a baseline web site having a plurality of web pages through a network, the web pages containing displayable information;

cutting and pasting changes to mirror information by the authorized user to a mirror web site that includes initially a mirror copy of the baseline web site via a web application running on the mirror web site, the mirror copy containing the mirror information; and

approving the changes by an authorized administrative user to cause the changes to be copied back to the baseline web site.

- 18. The method of claim 17, wherein said accessing by the authorized user of the baseline web site comprises viewing the baseline web site on one of a plurality of multiple user-viewable displays mounted on walls of a room having restricted access, the displays communicatively coupled to the network.
- 19. The method of claim 17, wherein said accessing by the authorized user of the baseline web site comprises remotely accessing the baseline web site through a network via a client communication device communicatively coupled to the network.
- 20. The method of claim 17, wherein said cutting and pasting the changes by the authorized user to the mirror web site comprises cutting and pasting additional and replacement data from an application running on a client communication device communicatively coupled to the network to the web application.

APPENDIX B - EVIDENCE:

None.

APPENDIX C - RELATED PROCEEDINGS:

None.



